

ORDINANCE NO. 2009-19

AN ORDINANCE, of the City of Wenatchee amending Ordinance Nos. 2419 and 2652, and repealing Ordinance No. 3063, Section III, regarding crimes against property.

WHEREAS, the Washington State legislature has recently amended certain state statutes relating to crimes against property; and

WHEREAS, certain City ordinances will conflict with the amended state statutes; and

WHEREAS, the City wishes to have its Ordinances relating to crimes against property to correspond with the state statutes;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WENATCHEE DO ORDAIN as follows:

SECTION I

Ordinance No. 2419, Section 1.01 (part) and Ordinance No. 2652, Section XIII, Section XIV, Section XV, Section XVI, Section XXI and Section XXXVIII (part), also cited as Wenatchee Criminal Code 6A.06.010, 6A.06.020, 6A.06.030, 6A.06.040, 6A.06.080, and 6A.06.100 are hereby amended to read as follows:

6A.06.010 Theft and Related Crimes.

The following statutes of the state; including all future amendments thereto, are adopted by reference:

RCW 9A.56.010 Definitions.

RCW 9A.56.020 Theft – Definition, Defense.

RCW 9A.56.050 Theft in Third Degree.

RCW 9A.56.060 Unlawful Issuance of Checks or Drafts.

RCW 9A.56.063 Making or Possessing Motor Vehicle Theft Tools.

RCW 9A.56.096 Theft of Rental, Lease, or Lease – Purchase Property.

RCW 9A.56.140 Possessing Stolen Property – Definition – Presumption.

RCW 9A.56.170 Possessing Stolen Property in the Third Degree.

RCW 9A.56.180 Obscuring the Identity of a Machine.

RCW 9A.56.190 Robbery – Definition.

RCW 9A.56.220 Theft of Subscription Television Services.

RCW 9A.56.240 Forfeiture and Disposal of Device Used to Commit Violation.

RCW 9A.56.250 Civil Cause of Action.

RCW 9A.56.260 Connection of Channel Converter.

RCW 9A.56.268 Civil Cause of Action.

RCW 9A.56.270 Shopping Cart Theft.

RCW 9A.56.330 Possession of Another's Identification.

SECTION II

Ordinance No. 2419, Section 1.01 (part) and Ordinance No. 2652, Section XX, also cited as Wenatchee Criminal Code 6A.06.090, is hereby amended to read as follows:

6A.06.020 Malicious Mischief and Related Crimes.

The following statutes of the state, including all future amendments thereto, are adopted by reference:

RCW 9A.48.010 Definitions.

RCW 9A.48.050 Reckless Burning in the Second Degree.

RCW 9A.48.060 Reckless Burning – Defense.

RCW 9A.48.090 Malicious Mischief in the Third Degree.

RCW 9A.48.100 Malicious Mischief – “Physical Damage” Defined.

RCW 9A.48.105 Criminal Street Gang Tagging and Graffiti.

RCW 29A.84.040 Political Advertising, Removing or Defacing.

SECTION III

Ordinance No. 2419, Section 1.01 (part), Ordinance No. 2652, Section XVII and Section XVIII, also cited as Wenatchee Criminal Code 6A.06.050, 6A.06.060, and 6A.06.070, are hereby amended to read as follows:

6A.06.030 Trespass and Related Crimes.

The following statutes of the state, including all future amendments thereto, are adopted by reference:

RCW 9A.52.010 Definitions.

RCW 9A.52.060 Making or Having Burglary Tools.

RCW 9A.52.070 Criminal Trespass in the First Degree.

RCW 9A.52.080 Criminal Trespass in the Second Degree.

RCW 9A.52.090 Criminal Trespass – Defenses.

RCW 9A.52.100 Vehicle Prowling in the Second Degree.

RCW 9A.52.120 Computer Trespass in the Second Degree.

RCW 9A.52.130 Computer Trespass – Commission of Other Crime.

SECTION IV

Ordinance No. 3063, Section III, also cited as Wenatchee City Code 6A.07.030, is hereby repealed.

SECTION V

All statutes of the state, referenced in this Ordinance, shall be filed in the office of the City Clerk for use and examination by the public as required by RCW 35A.12.140.

SECTION VI

All provisions of Ordinance 2419, Section 1.01 (part), Ordinance No. 2652, and Ordinance No. 3063 not herein amended or repealed shall remain in full force and effect.

SECTION VII

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of this Ordinance or the application of the provision to other persons or circumstances is not affected.

SECTION VIII

The effective date of this Ordinance is and shall be July 26, 2009.

PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a regular meeting thereof this 28th day of May 2009.

CITY OF WENATCHEE, a Municipal Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: Brenda Guske
BRENDA GUSKE, City Clerk

APPROVED:

By: Steve D. Smith
STEVE D. SMITH, City Attorney